

MESSAGE NO: 6312211 MESSAGE DATE: 11/08/2006

MESSAGE STATUS: Active CATEGORY: Countervailing
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE 6200211
MESSAGE #
(s):

CASE #(s): C-122-815

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 01/01/2005 TO 08/15/2005

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: AUTOMATIC LIQUIDATION INSTRUCTIONS FOR PURE MAGNESIUM & ALLOY
MAGNESIUM FROM CANADA (C-122-815) (EXCEPT NORSK HYDRO CANADA INC.)

MESSAGE NO: 6312211

DATE: 11 08 2006

CATEGORY: CVD

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REFERENCE: 6200211

REFERENCE DATE: 07 19 2006

CASES: C - 122 - 815

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PERIOD COVERED: 01 01 2005 TO 08 15 2005

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: AUTOMATIC LIQUIDATION INSTRUCTIONS FOR PURE MAGNESIUM &
ALLOY MAGNESIUM FROM CANADA (C-122-815)
(EXCEPT NORSK HYDRO CANADA INC.)

1. THE DEPARTMENT OF COMMERCE DID NOT RECEIVE A REQUEST FOR ADMINISTRATIVE REVIEWS OF THE COUNTERVAILING DUTY ORDERS OF PURE MAGNESIUM AND ALLOY MAGNESIUM FROM CANADA (C-122-815) FOR THE PERIOD (01/01/2005 THROUGH 08/15/2005) EXCEPT FOR NORSK HYDRO CANADA INC. ENTRIES SHOULD NOT BE LIQUIDATED FOR NORSK HYDRO CANADA INC. UNTIL YOU RECEIVE LIQUIDATION INSTRUCTIONS.

2. THE PRODUCTS COVERED BY THESE ORDERS ARE SHIPMENTS OF PURE AND ALLOY MAGNESIUM FROM CANADA. PURE MAGNESIUM CONTAINS AT

LEAST 99.8 PERCENT MAGNESIUM BY WEIGHT AND IS SOLD IN VARIOUS SLAB AND INGOT FORMS AND SIZES. MAGNESIUM ALLOYS CONTAIN LESS THAN 99.8 PERCENT MAGNESIUM BY WEIGHT WITH MAGNESIUM BEING THE LARGEST METALLIC ELEMENT IN THE ALLOY BY WEIGHT, AND ARE SOLD IN VARIOUS INGOT AND BILLET FORMS AND SIZES. THE PURE AND ALLOY MAGNESIUM SUBJECT TO THE ORDERS IS CURRENTLY CLASSIFIABLE UNDER ITEMS 8104.11.0000 AND 8104.19.0000, RESPECTIVELY, OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES ("HTSUS"). ALTHOUGH THE HTSUS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND

CUSTOMS PURPOSES, THE WRITTEN DESCRIPTIONS OF THE MERCHANDISE SUBJECT TO THE ORDERS ARE DISPOSITIVE. SECONDARY AND GRANULAR MAGNESIUM ARE NOT INCLUDED IN THE SCOPE OF THESE ORDERS.

3. THEREFORE, IN ACCORDANCE WITH SECTION 351.212(c) OF THE COMMERCE REGULATIONS, YOU ARE TO ASSESS COUNTERVAILING DUTIES AT RATES EQUAL TO THE CASH DEPOSIT OF ESTIMATED COUNTERVAILING DUTIES REQUIRED AT THE TIME OF ENTRY ON THE SPECIFIED SUBJECT MERCHANDISE EXPORTED ON OR AFTER 01/01/2005 AND ON OR BEFORE 08/15/2005, EXCEPT FOR ENTRIES FROM NORSK HYDRO CANADA INC.

4. YOU SHOULD LIQUIDATE ALL ENTRIES DURING THE PERIOD 01/01/2005 THROUGH 08/15/2005 FROM ALL FIRMS EXCEPT FOR THE FOLLOWING:

COMPANY NAME	ID NUMBER
NORSK HYDRO CANADA INC.	C-122-815-002

5. THE NOTICE OF LIFTING OF SUSPENSION OF LIQUIDATION FOR THE MERCHANDISE LISTED ABOVE FROM ALL FIRMS EXCEPT NORSK HYDRO CANADA INC. EXPORTED ON OR BEFORE 08/15/2005 OCCURRED WITH THE PUBLICATION OF THE NOTICE OF INITIATION OF THESE ADMINISTRATIVE REVIEWS (71 FR 57465, 09/29/2006). AS A RESULT OF COMMERCE'S REVOCATION OF THE COUNTERVAILING DUTY ORDERS ON PURE MAGNESIUM AND ALLOY MAGNESIUM EFFECTIVE AUGUST 16, 2005, CASH DEPOSITS OF ESTIMATED COUNTERVAILING DUTIES ARE NOT REQUIRED ON OR AFTER AUGUST 16, 2005 (SEE MESSAGE NO. 6200211, DATED 07/19/2006).

6. THE ASSESSMENT OF COUNTERVAILING DUTIES BY THE CBP SERVICE ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS OR ASSESS INTEREST ON UNDERPAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED COUNTERVAILING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED COUNTERVAILING DUTIES BEFORE THE DATE OF PUBLICATION OF THE COUNTERVAILING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE ENTRY DATE OR DATE OF DEPOSIT WHICHEVER IS LATER, OF ESTIMATED COUNTERVAILING DUTIES THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY (O1: AM)).

8. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CATHY SAUCEDA

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party